



Security Council

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Letter dated 14 April 2003 from the Chairman of the Security Council Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism addressed to the President of the Security Council

I write with reference to my letter of 13 November 2002 (S/2002/1231).

The Counter-Terrorism Committee has received the attached supplementary report from the Islamic Republic of Mauritania, submitted pursuant to paragraph 6 of resolution 1373 (2001) (see annex).

I should be grateful if you could arrange for this letter and its attachment to be circulated as a document of the Security Council.

(Signed) Inocencio F. **Arias**

Chairman

Security Council Committee established pursuant to
resolution 1373 (2001) concerning counter-terrorism



Annex

[Original: French]

Note verbale dated 31 March 2003 from the Permanent Mission of Mauritania to the United Nations addressed to the Chairman of the Security Council Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism

The Permanent Mission of the Islamic Republic of Mauritania to the United Nations in New York presents its compliments to the Chairman of the Security Council Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism and, with reference to its note verbale of 10 January 2003, has the honour to transmit herewith the report on the legislative and other measures taken by the Mauritanian Government to implement the provisions of Security Council resolution 1373 (2001) (see enclosure).

Enclosure**Supplementary report requested by the Counter-Terrorism Committee****Paragraph 1**

Legislative and other measures taken to comply with the provisions of paragraph 1 of resolution 1373 (2001).

Subparagraphs a, b, c and d

The Constitution of 20 July 1991 of the Islamic Republic of Mauritania bans all forms of physical and mental violence. All the legislation and regulations in force (article 13, final paragraph) concerning the establishment and functioning of political parties, the media, non-governmental organizations and associations also prohibit the acquisition or handling in any way of assets or funds deriving from suspicious sources, in particular from clandestine or terrorist organizations.

For example, Act No. 9337 of 20 July 1993, concerning the suppression of the production, trafficking and illicit use of psychotropic substances has been taken as the starting point and has provided the institutional framework for combating organized crime and terrorism.

Mauritania has ratified or is in the process of ratifying the following international conventions in that area:

- Convention on the Prevention and Punishment of Crimes against Internationally Protected Persons, including Diplomatic Agents, adopted at New York on 14 December 1973;
- International Convention against the Taking of Hostages, adopted at New York on 17 December 1979;
- International Convention against the Recruitment, Use, Financing and Training of Mercenaries, adopted at New York on 4 December 1989;
- Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation, signed at Montreal on 23 September 1971;
- Protocol for the Suppression of Unlawful Acts of Violence at Airports Serving International Civil Aviation, supplementary to the Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation, signed at Montreal on 24 February 1988;
- International Convention for the Suppression of Terrorist Bombings, adopted at New York on 15 December 1997;
- International Convention for the Suppression of the Financing of Terrorism, adopted at New York on 10 January 2000;
- Convention on the Marking of Plastic Explosives for the Purpose of Detection, signed at Montreal on 1 March 1991;
- OAU Convention on the Prevention and Combating of Terrorism and Plan of Action, adopted at Algiers on 14 July 1999 and the related Plan of Action adopted at Algiers on 11 September 2002;

Mauritania is also a party to the following international legal instruments and declarations of principle:

- The Dakar Declaration against Terrorism of October 2001;
- The Declaration and Plan of Action on Drug Abuse Control and Illicit Drug Trafficking in Africa.

In order to deal with a phenomenon heretofore unknown in Mauritania, the Mauritanian Government has finalized the technical aspects of a plan for a police force to combat financial crime, covering all forms of circulation of suspicious funds. The establishment of such a force will require legislation and the corresponding regulations, which will define the offences and applicable penalties.

Paragraph 2

Subparagraphs a, b, c, d, e, f and g

The Mauritanian Government is presently taking a number of steps with regard to immigration management, in two main areas:

The first entails a review of the legislation and regulations currently in force with a view to making them tighter and more in keeping with the provisions of resolution 1373 (2001).

The Mauritanian Government is also concerned with establishing structures, mechanisms, bodies and resources capable of implementing the directives and general guidelines of the resolution. To that end, it is undertaking a series of studies on the reorganization of government agencies and is mobilizing substantial resources to be used for the training of staff and the establishment of structures to be entrusted with such responsibilities.

The above-mentioned measures and efforts reflect the determination of the Mauritanian Government to comply with the resolution, a determination already demonstrated by its regular exchange of information with all the security services of the countries concerned.

Competence of the courts to deal with the following offences

(a) Offences committed within Mauritania by any person (whether that person is currently present in Mauritania or not).

The Penal Code sets penalties for the principals, accomplices and accessories of any offence committed within Mauritania by any person residing therein or a fugitive from justice.

(b) The Penal Code also sets penalties for any person of Mauritanian nationality who commits an offence abroad if the law of the host country makes such an act punishable; the Code also sets penalties for any person of another nationality who commits an offence in Mauritania or as a fugitive from justice.

(c) Any person of foreign nationality who commits an offence abroad and is residing in Mauritania is subject to proceedings under two conditions:

- (1) Provided the reprehensible acts of which the person is accused are defined and punishable under Mauritanian criminal law as well as under foreign law;
- (2) Provided the commission of the act termed a crime or offence has been established by a final decision of the foreign courts.

Paragraph 3

Mauritania has not signed any bilateral agreements to prevent and suppress terrorist attacks. However, Mauritania is a party to nearly all the conventions related to the combating of terrorism, and it has signed bilateral treaties on extradition and mutual legal assistance with other countries.

Mauritania is planning to move forward rapidly with the establishment of a police force to investigate and suppress financial crime, which entails setting up its organizational structure and promulgating the corresponding legislation and regulations.

Cooperation with the International Criminal Police Organization (Interpol), of which Mauritania is a member, takes place at all levels and with all member States on a normal, regular basis.

With regard to the 12 relevant international conventions and protocols, Mauritania has ratified some and is preparing to initiate the process of ratifying the others.

The extradition procedure is governed by national criminal law and by bilateral and international conventions.

Paragraph 4

Mauritania has ratified the Convention on Chemical Weapons and the Pelindaba Treaty on the denuclearization of Africa.